GOVERNMENT OF ANDHRA PRADSH
ABSTRACT

Higher Education Department – Collegiate Education – Implementation of the orders of the Hon'ble High Court of Andhra Pradesh dt:23.09.2013 in W.P.No.8606 of 2013 filed by Smt. D.Ademma, Un-aided Lecturer in Economics, Sri Sarvodaya College, Nellore, in view of dismissal of SLP Nos.29369-29373 – Orders – issued – Reg.

HIGHER EDUCATION [CE] DEPARTMENT

G.O.RT.No. 150 **Dated: 18-08-2025**

Read the following:

1. Orders dated:09.08.2002 of the Hon'ble High Court of Andhra Pradesh in W.P.No.14598/2002.
2. Govt., Memo.No.629/CE.II/2002, dated:17.05.2005.
3. Orders dated:23.09.2013 of the Hon'ble High Court of Andhra Pradesh in W.P.No.8606 of 2013.
4. CC No 1375 of 2014 filed by Smt. D.Ademma, Un-aided Lecturer in Economics, Sri Sarvodaya College, Nellore.
5. Govt. Memo.No.344/CE.II/2016, dated: 01.04.2016
6. Orders dated:19.04.2016 in SLP (C) No.29369-29373 of 2014.
7. From the Commissioner of Collegiate Education, Lr.Rc.No.462/A/ Admn.II-2/2013,dated:27.09.2024.
8. From Director of Collegiate Education, Andhra Pradesh, Lr.Rc. No.462/Admn.II-2/PAC-II/2013,dt:22.04.2025 & 30.06.2025.

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ORDER:

Smt. D.Ademma, Un-aided Lecturer in Economics, Sri Sarvodaya College, Nellore has filed W.P.No.14598/2002 in the Hon'ble High Court seeking directions for regularization of services. The Hon'ble High Court in its order 1st read above, while disposing the case, has directed the respondents to consider the proposal of the College for regularization of the petitioner in view of the vacancy arose on 07.03.2002, due to demise of Late Sri.M.Koteswara Rao.

2. Accordingly, after examining the request of the Petitioner, the Government vide Memo 2nd read above have issued rejection orders, on the following grounds.

1) There is no aided Work load in the Department of Economics in Sri Sarvodaya College though there is an aided vacancy.

2) The Government have taken a policy decision not to fill up the aided vacant Pots vide Memo.No.41209/CE.II-1/98-2 Education, dt.17.12.1999.

3) The Government in G.O Rt.No.182, Education, Dated.14.3.2005, read with letter No.SP/2505/CE.II-1/2002-5, dated.14.3.2005, have constituted a committee with 9 members to examine the issue for regularization of PTL's.

P.T.O

3. Aggrieved by the above rejection orders, the petitioner i.e., Smt. D.Ademma, Un-aided Lecturer in Economics, Sri Sarvodaya College, Nellore has filed another W.P.No.8606/2006, in the Hon'ble High Court. While disposing the said W.P, the Hon'ble High Court of Andhra Pradesh, in its Orders 3rd read above, has made the following order:

> ".....to consider the request of the third respondent College is absorbing the petitioner in the aided College of the third respondent, which arose on account of the demise of N.RamaKoteswara Rao with effect from 7.3.2002 and pass appropriate orders within six weeks from the date of receipt of a copy of this order".

4. In pursuance of the Hon'ble Court orders, the Commissioner of Collegiate Education, A.P in his letter 7th read above, has submitted a proposal for issue of appropriate orders, as on the request of Smt.D.Ademma, Un-aided Lecturer in Economics, Sri Sarvodaya College, Nellore. In-turn, Government, vide Memo.No.344/CE.II/2016, dated:.04.2016 rejected the request of the Petitioner in terms of G.O.Ms.No.78, Education, dated:15.03.1996 and also pending decision of the Hon'ble Apex Court in SLP Nos.29369-29373 & Batch of similarly situated persons.

5. However, for non compliance of the Orders of the Hon'ble Court dated:23.09.2013, the petitioner filed C.C No 1375 of 2014 before the Hon'ble High Court and the same is pending before the Hon'ble High Court, Andhra Pradesh.

6. Further, the Hon'ble Supreme Court of India, in their Orders 6th read above, while disposing SLP Nos.29369-29373 & Batch categorized the Writ Petitioners into two groups i.e. those who were within the age of 45 years for recruitment and others who were outside the age group of 45 years. Wherein, the Hon'ble Supreme Court in so far as the Petitioners, who have crossed 45 years, the Hon'ble Apex Court observed that we do not find it proper to direct the State Government to consider any further relaxation of their age, however, having regard to the long years of service put in by them in un-aided posts, it will be travesty of justice if they were to be terminated from service abruptly at this point of time. We are, therefore, of the view that the interest of justice can be sub- served by directing the appellants to allow them to continue in service not in aided post by paying the salary applicable to an aided post of Lecturer in the respective department and allow them to function as such till they reach the age of superannuation making them eligible for whatever terminal benefits, namely, accumulation of provident fund gratuity to be calculated at the rate at which they would be drawing the salary on the date of their retirement.

7. The Director of Collegiate Education, A.P in his letter 7th read above, has informed that, in the case of Smt. D.Ademma, Un-aided Lecturer in Economics, the Date of Birth of the Petitioner is 01.12.1955 and retired from service on attaining the age of superannuation on 30.11.2013. The date of vacancy in the college is 07.03.2002 due to demise of existing Lecturer of the college. By the time the vacancy arose she having completed 47 years and completed 57 years as on the date of order of the Hon'ble Court in W.P.No.8606 of 2006 dated:23.09.2013 and thus, she crossed maximum age limit 45 years for recruitment.

(Contd...3)

8. Furthermore, the DCE, A.P has also informed that the petitioner i.e Smt.D.Ademma, Un-aided Lecturer in Economics be deemed to be treated as having continued in service by paying the salary applicable to an aided post of Lecturer in the Department of Economics till she attained the age of 58 years i.e. 30.11.2013 making her eligible for whatever terminal benefits viz., accumulation of provident fund, gratuity at the rate at which she would have drawn the salary on the date of her retirement in terms of the relief granted by the Hon'ble Supreme Court.

9. After careful examination of the matter, Government hereby accord permission to the Director of Collegiate Education, A.P., to draw salary for Smt.D.Ademma, Un-aided Lecturer in Economics(Retired), Sri Sarvodaya College, Nellore as applicable to an aided post deemed to be treated as having continued in service till she attaining the age of superannuation i.e. 30.11.2013 and making her eligible for whatever terminal benefits viz., PF, Gratuity, etc., calculated on the salary drawn on date of attaining the age of superannuation as per the judgment of Hon'ble SC order dated 19.4.2016 in SLPs 29369-29373.

10. This orders issues with the concurrence of the Finance Department vide their U.O.No. FIN-32026/141/2017-SO (HR III)-FINANCE, (C.No:324044), dated:24.07.2025.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KONA SASIDHAR
SECRETARY TO GOVERNMENT

To
The Director of Collegiate Education, A.P.,Mangalagiri, Guntur District.
The individual through the Director of Collegiate Education, A.P., Mangalagiri, Guntur District.
The Accountant General, A.P, Vijayawada.
The Director of Treasuries & Accountants, A.P.Mangalagiri, Guntur District.
The Director of Works and Accounts, A.P Mangalagiri, Guntur District.
The pay and Accounts Officer, A.P, Mangalagiri, Guntur District.

Copy to:
The Hon'ble Minister [HRD]
The P.S to Secretary to Government, Higher Education Department.
The Finance [HR.I-Plg. & Policy) Department.
The Government Pleader, Higher Education, A.P.H.C (w.r.t CC No.1375 of 2014).

S.C/S.F.

//FORWARDED::BY ORDER//

SECTION OFFICER